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(Signature of Person Mailing Paper or Fee)

PATENT
Attorney Docket No. SUN-P5828-ARG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
)
Kenneth W. Shirriff)
)
Application No.: 09/891,597)
)
Filed: June 25, 2001)
)
Title: **METHOD AND APPARATUS FOR**)
 AUTOMATIC CONFIGURATION OF A)
 CLUSTER OF COMPUTERS)

Group Art Unit: 2152

Examiner: *Not Yet Assigned*

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APR 25 2002
Technology Center 2100

COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed herewith for filing in the above-captioned patent application is an executed Power of Attorney by Assignee to Exclusion of Inventor under 37 C.F.R. §3.71 with Revocation of Prior Powers.

Also enclosed is a copy of the Assignment as received from the U.S. Patent and Trademark Office on September 30, 2001.

Respectfully submitted,

By: *A. Richard Park*
A. Richard Park
Reg. No. 41,241

Park, Vaughan & Fleming LLP
508 Second Street, Suite 201
Davis, CA 95616
(530) 759-1661
Date: April 15, 2002

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PATENT & TRADEMARK

**POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR UNDER
37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS**

Inventor(s): Kenneth W. Shirriff
Title: Method and Apparatus for Automatic Configuration of A Cluster of Computers
Filing Date: June 25, 2001
Serial No.: 09/891,597
Group Art Unit: *not yet assigned*
Examiner: *not yet assigned*
Attorney Docket No: SUN-P5828-ARG

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The undersigned ASSIGNEE of the entire interest in the above-identified application for letters patent hereby appoints Kenneth Olsen, Registration No. 26,493, Timothy J. Crean, Registration No. 37,116, Joseph T. Fitzgerald, Registration No. 33,881, Alexander E. Silverman, Registration No. 37,940, Anirama R. Gupta, Registration No. 38,275, Sean P. Lewis, Registration No. 42,798, Michael J. Schallop, Registration No. 44,319, Bernice B. Chen, Registration No. 42,403, Noreen A. Krall, Registration No. 39,734, Richard J. Lutton, Registration No. 39,756, Monica D. Ward, Registration No. 40,696, Marc D. Foodman, Registration No. 34,110, Naren Chaganti, Registration No. 44,602, Elaine Lee, Registration No. 41,936, Hugh H. Matsubayashi, Registration No. 43,779, Paul Sorkin, Registration No. 39,039, Marilyn E. Glaubenskle, Registration No. 35,521, Ramin Aghevli, Registration No. 43,462, Andrew C. Chen, Registration No. 43,544, Jeffrey L. Myers, Registration No. 44,252, and Pavel Pogodin, Registration No. 48,205 all of SUN MICROSYSTEMS, INC., and A. Richard Park, Registration No. 41,241, Daniel E. Vaughan, Registration No. 42,199, Hoyt A. Fleming, Registration No. 41,752, and Edward J. Grundler, Registration No. 47,615 all of PARK, VAUGHAN & FLEMING LLP, to prosecute this application and transact all business in the United States and Patent & Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

- ☒ a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or
- ☐ the Assignment recorded on _____ at reel _____, frames _____ - _____.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Please direct all telephone calls and correspondence to: A. Richard Park, Park, Vaughan & Fleming LLP, 508 Second Street, Suite 201, Davis, CA 95616, tel: 530-759-1661.

ASSIGNEE: Sun Microsystems, Inc.

Signature:  July 10, 2001
(Signature) (Date)

Name: Kenneth Olsen

Title: Vice President, Intellectual Property



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SEPTEMBER 10, 2001

PTAS

PARK, VAUGHAN & FLEMING LLP
EDWARD J. GRUNDLER
508 2ND ST, STE 201
DAVIS, CA 95616



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/25/2001

REEL/FRAME: 011942/0066
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
SHIRRIFF, KENNETH W.

DOC DATE: 03/23/2001

ASSIGNEE:
SUN MICROSYSTEMS, INC.
901 SAN ANTONIO ROAD
PALO ALTO, CALIFORNIA 94303

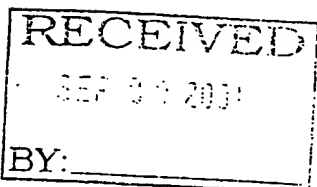
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SERIAL NUMBER: 09891597
PATENT NUMBER:

FILING DATE: 06/25/2001
ISSUE DATE: Technology Center 2100

DOROTHY RILEY, EXAMINER
ASSIGNMENT DIVISION
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Attorney Docket No. SUN-P5828-ARG

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Patent and Trademark Office

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09/89/1597

To the Assistant Commissioner for Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Kenneth W. Shirriff

06/25/01

2. Name and address of receiving party(ies):

Name: Sun Microsystems, Inc.
Street Address: 901 San Antonio Road
City: State: Zip: Palo Alto, CA 94303

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Additional name(s) & address(es) attached?

☐ Yes ☒ No

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Execution Date:

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: June 6, 2001

A. Patent Application No.(s):

09/89/1597

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Edward J. Grundler
Park, Vaughan & Fleming LLP
508 Second Street, Suite 201
Davis, CA 95616

Attorney Docket No.: SUN-P5828-ARG

6. Total number of applications and patents involved: [1]

7. Total fee (37 CFR 3.41)\$40.00
☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Edward J. Grundler
Name of Person Signing

Signature

June 25, 2001
Date

Total number of pages including cover sheet, attachments and document: [3]

06/29/2001 #corporate power of attorney
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CORPORATE ASSIGNMENT

WHEREAS, the undersigned,

Kenneth W. Shirriff

650 Castle Hill Rd., Redwood City, CA 94061

hereinafter termed "Inventor(s)", have invented certain new and useful improvements in

METHOD AND APPARATUS FOR AUTOMATIC CONFIGURATION OF A CLUSTER OF COMPUTERS

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention:

X On the 6TH day of JUNE, 2001;

Or

____ Said application having Application Number ____ and filed on ____; and

WHEREAS, Sun Microsystems, Inc. a corporation of the State of Delaware, having a place of business at 901 San Antonio Road, Palo Alto, CA 94303, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventor(s) (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventor(s) to have been received in full from said Assignee:

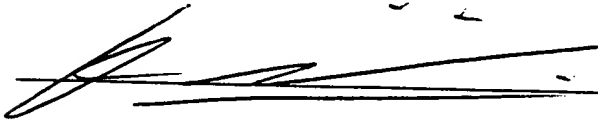
1. Said Inventor(s) do hereby sell, assign, transfer and convey unto said Assignee the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a divisional, substitution, continuation, or continuation-in-part of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.

2. Said Inventor(s) hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventor(s) shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation reissues and reexaminations, opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventor(s) in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventor(s), their respective heirs, legal representatives and assigns.

4. Said Inventor(s) hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, said Inventor(s) have executed and delivered this instrument to said Assignee as of the dates written below.



Kenneth W. Shirriff

March 23, 2001

Date

Date

Date

Date

Date